

Remarks

Applicants respectfully request reconsideration of the above-identified application. Claims 1-106 remain in this application. Applicants respectfully traverse the rejections as applied to the pending claims.

I. Allowable subject matter.

Applicants note with appreciation the indication that dependent claims 31, 84, and 103 are directed to allowable subject matter.

II. Indefiniteness rejection.

Claims 1-26 and 56-61 were rejected under 35 U.S.C. 112, second paragraph as indefinite. Whether a claim is indefinite "depends on whether one of skill in the art would understand what is claimed, in light of the specification." MPEP 2173.05(b). The Office Action has not pointed out any reason why one of skill in the art would misunderstand any of claims 1-26 and 56-61. Applicants respectfully submit that the existing claim language is clearly understandable from the perspective of one of skill in the art.

III. Rejections Based on Art.

A. Kuo combined with Curatolo.

Claims 1-10, 12-13, 16-30, 32-35, 37-38, and 40-61 were rejected under 35 U.S.C. 103(a) as obvious in view of U.S. Patent 5,962,092 to Kuo combined with U.S. Patent 5,804,301 to Curatolo.

Applicants respectfully traverse these obviousness rejections by directing the Examiner's attention to the comparative data in the Application (page 33, line 27 to page 36, line 15) as objective evidence establishing non-obviousness.

As described in the Example section of the Application, eight samples of printed anti-fog films (Sample Nos. 1-8) were formed by applying a solvent-based ink formulation to one side of equivalent plastic films that incorporated 3% antifog agent in the outer layers. (Page 35, lines 7-16.) The "comparison" films of Samples Nos. 1-2 did not include either a radiation-cured

varnish or a two-part reactive thermoset varnish on the print of the anti-fog film. Samples Nos. 3-6 were made according to the present invention because a cured overprint varnish (i.e., electron-beam curable overprint varnish) was on the print of the antifog film. (Page 35, lines 17-21.) Samples Nos. 7-8 were made according to the present invention because a cured overprint varnish (i.e., a two-part reactive thermoset varnish) was on the print of the antifog film. (Page 35, line 21 to page 36, line 2.)

Each of Samples 1-8 were subjected to conditions simulating storage of the printed films in roll form, which is the believed cause of "ghosting" (explained in the Application, page 2, lines 4-19). The comparative Samples 1-2 demonstrated deteriorated antifog characteristics, as shown by the Antifog Ratings of 1; whereas, the Samples 3-8 according to the present invention did not demonstrate any significant deterioration of antifog characteristics, as shown by the Antifog Ratings of 4.5 to 5 ("excellent").

There was no reason to have expected that the use of a radiation-cured overprint varnish or a thermoset varnish with a printed anti-fog film would cause the Samples 3-8 films to have superior anti-fog performance after exposure to ghosting-inducing conditions, as shown by the comparative data.

Further, regarding claims 21, 48, and 58, neither Kuo nor Curatolo teaches or suggests "electron-beam radiation having an energy of less than about 100 keV." Therefore, the combination of these references fails to establish a *prima facie* case of obviousness at least with respect to claims 21, 48, and 58 required to shift the burden of rebuttal to Applicants.

Similarly, regarding claims 22, 49, and 59, neither Kuo nor Curatolo teaches or suggests "electron-beam radiation having an energy of less than about 50 keV." Therefore, the combination of these references fails to establish a *prima facie* case of obviousness with at least with respect to claims 22, 49, and 59 required to shift the burden of rebuttal to Applicants.

Although the Office Action classifies the "flow additives" of Curatolo as "solvents" (Office Action mailed August 5, 2004 at page 4, line 3), Curatolo nevertheless fails to teach or suggest a "solvent-based ink," that is, an ink that cures primarily by evaporation of a solvent rather than by a chemical reaction (Application at page 18, lines 20-27). To the contrary,

Curatolo teaches radiation-cured coating compositions that are cured by exposure to radiation to effect a curing chemical reaction. (*See Curatolo at column 12, lines 39-59.*)

B. Kuo combined with Elms.

Claims 11, 14-16, 36, 39, 41, 77, 87, and 93-96 were rejected under 35 U.S.C. 103(a) as obvious in view of Kuo combined with U.S. Patent 3,976,614 to Elms.

Applicants respectfully traverse these obviousness rejections by directing the Examiner's attention to the comparative data in the Application (page 33, line 27 to page 36, line 15) as objective evidence establishing non-obviousness, and in particular the Samples Nos. 7-8 incorporating a thermoset overprint varnish system, as discussed in more detail in the previous Section III.A. There was no reason to have expected that the use of a thermoset varnish with a printed anti-fog film would cause the Samples 7-8 films to have superior anti-fog performance after exposure to ghosting-inducing conditions, as shown by the comparative data.

C. Kuo combined with Fairbanks.

Claims 27-30, 32-35, 37-38, 40-55, 62-76, 78-83, 85-86, 88-92, 95, 97-102, and 104-106 were rejected under 35 U.S.C. 103(a) as obvious in view of Kuo combined with U.S. Patent 4,008,115 to Fairbanks. Applicants assume that the inclusion of claim 31 in the list of rejected claims on page 5, section 12 of the Office Action was unintended, since claim 31 was specifically identified as directed to allowable subject matter on page 2, section 3 of the Office Action.

Applicants respectfully traverse these obviousness rejections by directing the Examiner's attention to the comparative data in the Application (page 33, line 27 to page 36, line 15) as objective evidence establishing non-obviousness, and in particular the Samples Nos. 3-6 incorporating an electron-beam cured overprint varnish system, as discussed in more detail in the previous section III.A. There was no reason to have expected that the use of a radiation-cured overprint varnish with a printed anti-fog film would cause the Samples 3-6 films to have superior anti-fog performance after exposure to ghosting-inducing conditions, as shown by the comparative data.

Also, regarding claims 48-49, 65-66, and 98-99, neither Kuo nor Fairbanks teaches or suggests "electron-beam radiation having an energy of less than about 100 keV" or "less than about 50 keV." Therefore, the combination of these references fails to establish a *prima facie* case of obviousness at least with respect to claims 48-49, 65-66, and 98-99 required to shift the burden of rebuttal to Applicants.

Regarding claim 81, neither Kuo nor Fairbanks teaches or suggests a "thermoset melamine-based varnish." Therefore, the combination of these references fails to establish a *prima facie* case of obviousness at least with respect to claim 81 required to shift the burden of rebuttal to Applicants.

IV. Conclusion

In view of these remarks, it is respectfully submitted that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

Sealed Air Corporation
P.O. Box 464
Duncan, SC 29334

864/433-2496

Respectfully submitted,



Daniel B. Ruble

Registration No. 40,794

Date: December 8, 2004